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THE SCOTT LAW GROUP

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Attorney for Defendants Erik Graeff &
the Law Offices of Erik Graeff, P.C.

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF OREGON

In re

Case No. 15-62393-tmr7

Kathleen Arthur,

Debtor.

United States Trustee,

Adv. Proc. No. 16-06061-tmr

Plaintiff,

v.

Vincent Howard; Howard Law, P.C.; Erik Graeff; and the Law Offices of Erik Graeff, P.C.,

Defendants.

ANSWER OF DEFENDANTS ERIK GRAEFF AND LAW OFFICES OF ERIK GRAEFF, P.C.

Come now Defendants Erik Graeff and the Law Offices of Erik Graeff, P.C. (collectively “Graeff”), and answer Plaintiff’s Complaint for Refund of Fees, Injunctive Relief, Civil Penalties, and other Sanctions (“Complaint”) as follows:

1. Graeff admits the allegations in paragraph 1.
2. Graeff is without knowledge or information sufficient to form a belief as to the

truth of the allegations in paragraph 2 and therefore denies them. In addition, Defendant adds:

LBR 7008-1 Statement. Defendant hereby consents to entry of final order or judgment on all

claims in this matter by the bankruptcy court.

3. Graeff is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 3 through 10 and therefore denies them.

4. Graeff admits the allegations in paragraphs 11 and 12.

5. With respect to paragraph 13, Graeff admits to being a “debt relief agency” but denies being a debt relief agency as it relates to Kathleen Arthur.

6. Graeff is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 14 through 20 and therefore denies them.

7. Graeff admits that he signed a Local Counsel Engagement Letter. The terms of the letter speak for themselves and Graeff therefore denies the remaining allegations contained in paragraphs 21 through 25.

8. Graeff admits that he received a Letter of Understanding. The terms of the letter speak for themselves and Graeff therefore denies the remaining allegations of paragraphs 26 through 28.

9. Graeff admits that he received an Amended Engagement Agreement. The terms of the amendment speak for themselves and Graeff therefore denies the remaining allegations of paragraph 29.

10. Graeff admits the allegations in paragraph 30.

11. Graeff admits that he testified during a “2004 Exam” in the “Stites” case. Graeff’s testimony speaks for itself and Graeff therefore denies the remaining allegations of paragraph 31.

12. Graeff is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 32 through 35 and therefore denies them.

13. Graeff admits the allegations in paragraphs 36 through 38.

14. Graeff is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 39 through 62 and therefore denies them.

15. Graeff admits executing the Clements Stipulated Order, the terms of which speak for themselves. Graeff therefore denies the remaining allegations of subparagraph 63c. Graeff denies the remaining allegations of paragraph 63.

16. Graeff is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 64 and therefore denies them.

17. With respect to paragraph 65, Graeff admits and denies the allegations in paragraphs 1 through 64 as initially admitted and denied.

18. Graeff denies the allegations in paragraphs 66 through 69.

19. Paragraphs 70 and 74 relate to claims against defendants other than Graeff and, therefore, no response is required.

20. With respect to paragraph 75, Graeff admits and denies the allegations in paragraphs 1 through 64 and paragraph 66 as initially admitted and denied.

21. Graeff denies the allegations in paragraphs 76 through 78.

22. Paragraphs 79 through 82 relate to claims against defendants other than Graeff and, therefore, no response is required.

23. With respect to paragraph 83, Graeff admits and denies the allegations in paragraphs 1 through 64, paragraphs 66 through 68, and paragraphs 76 and 77 as initially admitted and denied.

24. Graeff denies the allegations in paragraph 84.

25. Paragraphs 85 and 86 relate to claims against defendants other than Graeff and, therefore, no response is required.

26. With respect to paragraph 87, Graeff admits and denies the allegations in paragraphs 1 through 64 and paragraph 66 as initially admitted and denied.

27. Graeff denies the allegations in paragraphs 88 through 90.

28. With respect to paragraph 91, Graeff admits and denies the allegations in paragraphs 1 through 64 as initially admitted and denied.

29. Graeff denies the allegations in paragraphs 92 through 94.

30. With respect to paragraph 95, Graeff admits and denies the allegations in paragraphs 1 through 64 as initially admitted and denied.

31. Graeff denies the allegations in paragraphs 96 and 97.

32. Graeff denies any further allegations not expressly admitted herein.

WHEREFORE, Graeff prays for relief as follows:

- A. For an Order dismissing Plaintiff's claims against Graeff with prejudice;
- B. For Graeff's costs and disbursements; and
- C. For such other relief as this Court deems equitable and just.

DATED this 11th day of August, 2016.

THE SCOTT LAW GROUP

By: /s/ Loren S. Scott
Loren S. Scott, OSB #024502
Of Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2016, I directed my staff to serve the foregoing
**ANSWER OF DEFENDANTS ERIK GRAEFF AND LAW OFFICES OF ERIK GRAEFF,
P.C.** on the following:

Via First Class Mail to:

Vincent Howard
Howard Law, PC
2099 S State College Blvd
Suite 600
Anaheim, CA 92806

Howard Law, P.C.
Attn: Jeffrey Katz
1100 Town & Country Rd.
Suite 1250
Orange, CA 92868

Via Facsimile

Via ECF Notification

HOLLY C HAYMAN hhayman@llg-llc.com,
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Via E-mail to:

DATED: August 11, 2016

/s/ Loren S. Scott
Loren S. Scott, OSB# 024502